

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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SIDNEY GORDON,

Plaintiff,

-against-

SONAR CAPITAL MANAGEMENT LLC,
et al.,

Defendants.

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USDC SDNY

DOCUMENT

ELECTRONICALLY FILED 7/31/2015

11 **CIVIL** 9665 (JSR)

JUDGMENT

Whereas Defendants, Sonar Capital Management ("Sonar"), the hedge funds for which Sonar served as investment adviser (Sonar Partners, LP, Sonar Institutional Fund, LP, and Sonar Overseas Fund, Ltd. (collectively, the "Sonar Funds")), and former Sonar President and CEO Neil Druker ("Druker")¹ having moved for summary judgment on the ground, inter alia, that plaintiff had insufficient evidence that the Sonar Defendants knew or should have known that the allegedly material nonpublic information about Sigma was disclosed in breach of a fiduciary duty (Doc. # 132), on February 27, 2015, and the matter having come before the Honorable Jed S. Rakoff, United States District Judge, and the Court, on July 23, 2015, having rendered its Order (Doc. # 204), granting the Sonar Defendants' motion on that ground, and the Court thereafter, on July 30, 2015, having rendered its Opinion and Order (Doc. # 205), determining that because plaintiff cannot prove the Sonar Defendants' liability for insider trading, his claims against the Investor Defendants must

¹ Druker, Sonar, and the Sonar Funds are referred to collectively as the "Sonar Defendants". Plaintiffs have also named as defendants various investors in the Sonar Funds (the "Investor Defendants"). The Court bifurcated proceedings in this case, with trial against the Sonar Defendants to proceed first.

also fail, and directing the Clerk of the Court to enter final judgment dismissing the Third Amended Complaint in its entirety, with prejudice, and to close the case, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated July 30, 2015 (Doc. # 205), the Sonar Defendants' motion for summary judgment is granted; in addition, because that ruling forecloses plaintiff's fraudulent transfer and unjust enrichment claims, the plaintiff's claims against the Investor Defendants are also dismissed, and the Third Amended Complaint is dismissed in its entirety, with prejudice; accordingly, the case is closed.

DATED: New York, New York
July 31, 2015

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk